CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA
REGULAR MEETING

MARCH 1, 2011

INVOCATION:
Director of Community Development Appel gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Cordero led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Ness, City Attorney Trujillo, Fire Division Chief Orr, Director of Public Works/City Engineer Whitehead, Director of Utilities Sweet, Police Chief Macagni, Director of Community Development Appel, and Chief Deputy City Clerk Perez.

PROCLAMATION – ARBOR DAY
Councilmember Patino read a proclamation declaring Monday, March 7, 2011, as "Arbor Day" in the City of Santa Maria, and encouraging community members to plant a tree in observance of Arbor Day 2011 or to make donations throughout the year to the Recreation and Parks Department's "Tree of Life" Program in order to help regenerate our City's urban forest. The proclamation was accepted by Parks and Forest Supervisor Arredondo.

PUBLIC COMMENT
There were none.

CONSENT CALENDAR
Councilmember Cordero requested Item 3E be pulled for comment.

Item 3E – Award of Bid for Fire Station No. 3.
Councilmember Cordero stated this was another red-letter day for the City in a downward economy. It is a great job done by all the staff that was involved to this point.

Councilmember Patino stated it was so great when the City has the opportunity to do something like this. To have projects ready to go and have people in the City who could write the grants was karma.

Councilmember Boysen asked what the revenue could be used for if the City sold the current Fire Station No. 3 property.

City Manager Ness explained that typically if the City were to sell the surplus property, any revenue that would be generated would go back into the General Fund.

Consent Calendar Items 3A through 3E were approved on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of February 15, 2011, were approved as submitted.

C. WARRANTS
Warrant Nos. 164287 to 164565 totaling $1,830,376.49 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 163578, 164122, 164435, 164453, 164463, 164467, 164513, and 164517 were cancelled.

D. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

E. AWARD OF BID
Resolution No. 2011-22 was adopted awarding the bid and approving an agreement with Carroll Development, Inc., for the Northwest Fire Station No. 3, Bid No. 2011/04.

Resolution No. 2011-22 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING A CONTRACT WITH CARROLL DEVELOPMENT, INC., FOR THE NORTHWEST FIRE STATION NO. 3, BID NO. 2011/04.

STATUS REPORT AND ACTION REGARDING UNION VALLEY PARKWAY.
Director of Public Works/City Engineer Whitehead gave the staff report. The City Council is requested to receive a status report on the progress of Union Valley Parkway and consider taking the following actions: (1) approve a Notice of Contract Completion for Phase I, from Broadway to approximately 450 feet west of Foxenwood Lane; (2) approve a Notice of Contract Completion for Phase II, from approximately 450 feet west of Foxenwood Lane to Blosser Road; and (3) approve a recommendation from the Traffic Committee to establish a 45 mph speed limit on Union Valley Parkway from Broadway to Blosser Road.

The Union Valley Parkway is a primary arterial roadway in the City's General Plan. The primary arterial designation means that the roadway is intended to provide traffic mobility, and to limit access to adjacent properties. This new expressway will provide vital freeway access for the Santa Maria Airport Business Park, as well as congestion relief for east-west circulation within the Orcutt area. Since the early 1960's, the City of Santa Maria, the County of Santa Barbara, and Caltrans have worked together to create this new freeway connection in the southern portion of the City. However, following the City Council approval of the Final Environmental Impact Report for the project in 2008, a group of Foxenwood residents who identified themselves as the Orcutt Citizens for a Better Environment (OCBE) objected to the project and filed a lawsuit against the City claiming that the FEIR for the project was inadequate. Even though the City Council believed that the City would prevail, that lawsuit was settled with the City agreeing to OCBE's demand to build a soundwall along the southern right-of-way of UVP between California Blvd. and the Foxenwood tennis courts. While the City suggested two locations on the south side of the Flood Control District channel, locations which would have maximized the visual and noise mitigation benefits of the wall, the OCBE rejected those locations and instead demanded that the wall be built in its present location.

With the lawsuit settled, the City proceeded to build the roadway from Broadway to Blosser Road. The first two phases of the Union Valley Parkway were opened to the public in December 2010 and are the subject of the two Notices of Completion. Phase III will extend the roadway from the new traffic signal at State Route 135 (Broadway) to the existing Union Valley Parkway at Hummel Drive. With the completion of Phase III, the roadway will extend from S. Blosser Road to Boardwalk Lane, immediately adjacent to the

future freeway interchange at US 101. The current scheduling for the next two Union Valley Parkway projects estimates that construction of Phase III will begin in Summer 2011, while the interchange project construction will begin in late 2012 or early 2013.

The third action item is the introduction of an ordinance approving a speed limit zone on the newly constructed roadway. The establishment of the new speed limit zone is a necessary facility "start-up" feature. With the introduction of a new roadway into the community, vehicles must obey the "prima facie" speed limit of 55 mph. In order to properly set the speed limit, an engineering and traffic survey (E&TS) was completed on UVP in January 2011 on the corridor between Blosser Road and Broadway/SR-135. The E&TS included determining the critical speed of the corridor, reviewing roadway features that might not be readily apparent to the driver, collision records, and observing the vehicular, bicycle and pedestrian traffic flow along the roadway. After the data was collected and processed, the critical speed along UVP was determined to be 50.7 mph. However, a speed limit is not based on the critical speed of the corridor alone. Engineering judgment is also used to determine if other factors should affect the speed limit of a roadway corridor. The California Vehicle Code (CVC) sets forth other factors that can be considered by the Engineer when determining the speed limit, such as the number of residences fronting the roadway, and pedestrian and bicyclist safety. The Manual on Uniform Traffic Control Devices (CA MUCTD) then allows engineers to use their judgment to reduce the posted speed limit 5 mph from the critical speed based on the factors set forth by the CVC. Only one CVC factor needs to be met to apply the CA MUTCD speed reduction if the engineer deems it significant, and only one 5 mph reduction should be applied to a corridor. During the speed survey data collection, a high number of pedestrians and a few bicyclists used the corridor. Due to this observation, engineering judgment was used to recommend a 5 mph reduction in the posted speed from the critical speed for pedestrian and bicyclist safety. The Traffic Committee's recommended speed limit of 45 mph is the result of staff's efforts in this regard and will be enforceable by radar.

When the Union Valley Parkway is fully completed, it will have a very beneficial impact on the community. However, the introduction of this new roadway has caused difficulty for some residents in the adjacent Foxenwood subdivisions. Furthermore, two vehicle accidents have occurred on the roadway since the opening. Each accident was caused by driver error, not roadway design or configuration. Staff has received a number of complaints from the Foxenwood residents, as well as 11 Letters to the Editor in the *Santa Maria Times*. The residents expressed concerns regarding vehicles traveling at high speeds on the roadway and limited visibility of oncoming vehicles on Union Valley Parkway at the intersections at California Boulevard and at Foxenwood Lane. Staff has received these comments and acted by investigating each concern, analyzing the various factors, and developing strategies for minimizing problems. The first actions taken were to adjust landscaping to increase visibility and establish an approved speed limit zone as soon as possible. Additional actions may be recommended as new data is collected.

Councilmember Boysen asked whose responsibility it would be to patrol Union Valley Parkway.

Director Whitehead replied that it would be the Santa Maria Police Department within the City limits.

Dave Stockdale stated Union Valley Parkway was built before its time. He asked that the City close the road until it could be of some value when it was connected to the interchange. It adds two high-speed, high-risk intersections where there have already been two major accidents. If there was no significant improvement to traffic control, it was unconscionable to risk even one life. His only objective was saving a life. This road wouldn't be needed for many months until it connected with Hummel Drive. Close it until it can be of some value.

Mayor Lavagnino stated another alternative would be to cul-de-sac California Boulevard and Foxenwood Lane. That would make Foxenwood Lane and California Boulevard very safe. That was in the Airport Specific Plan.

Mr. Stockdale stated California Boulevard and Foxenwood Lane were an important part of that area. It would have a significant impact on that area. Cul-de-sacs were considered and discarded.

Ernest Armenta stated the citizens of Santa Maria did not benefit from Union Valley Parkway. He suggested the Foxenwood residents help pay the tab to put it on the ballot to decide if Union Valley Parkway should be closed.

Councilmember Cordero asked Director Whitehead if he said in his oral report that anytime there was a new roadway opened, there are problems that need to be addressed. When Union Valley Parkway was extended, there would be additional problems. If Union Valley Parkway was closed now and opened up when it was extended, there would be even more problems. There were only two accidents, and they were due to driver error.

Director Whitehead agreed.

Councilmember Boysen stated he did not believe that Union Valley Parkway contributed to increased risk. Traffic in the morning was significantly reduced now that Union Valley Parkway was opened, taking pressure and load off of Foster Road.

Councilmember Orach stated he traveled that area, and noticed that people were using Union Valley Parkway during prime times instead of Foster Road and others. It has been significant. The City did not design the wall to be in that location. There are a lot of people that are delighted with Union Valley Parkway.

The Notice of Contract Completion for Union Valley Parkway, Phase I, Bid No. 2010/02, was approved and the Chief Deputy City Clerk was directed to record same on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

The Notice of Contract Completion for Union Valley Parkway, Phase II, Bid No. 2010/11, was approved and the Chief Deputy City Clerk was directed to record same on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2011-01 establishing a 45 mph speed limit for Union Valley Parkway from Broadway to Blosser Road was introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2011-01 introduced. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING CHAPTER 7-4, SPEED LIMITS, OF THE SANTA MARIA MUNICIPAL CODE.

CITY MANAGER'S REPORT
City Manager Ness reported on items anticipated for the March 15, 2011, City Council meeting including the General Plan Annual Report and the six-month review of the Good Neighbor Ordinance and establishing fees.

ORAL REPORTS BY COUNCILMEMBERS
Councilmember Cordero reported he appeared on the Ben Heighes show, attended former Councilmember Zacarías's reception, a Peace Week Committee meeting, a fundraiser for the Boys and Girls Club, spoke at the Noontime Rotary Club meeting, and attended a ribbon cutting ceremony for the Children's Resource Center.

Councilmember Orach reported he attended some of the same events.

Mayor Lavagnino reported he attended the SBCAG meeting, did the radio show "Our Town," attended the Business Cooperation Program meeting with Hardy Diagnostics and North American Fire Hose Company, appeared on the Ben Heighes radio show with John Karamitsos, and attended the reception for former Councilmember Zacarías.

Councilmember Patino reported she attended the Planning Commission meeting, a Business Development meeting, a Peace Week Committee meeting, and tonight hosted a workshop on alternatives for funding a North County Jail.

Councilmember Boysen reported he attended the Santa Maria Young Professionals social; he thanked Councilmember Cordero for his efforts in the homeless count and said they were able to get pretty good information during the count, attended the Manufacturer's Association meeting and toured API Industries, attended the celebration for former Councilmember Zacarías, and he served on a jury for four days.

CLOSED SESSION:
The City Council recessed to a Closed Session at 7:30 p.m. to discuss Conference with Legal Counsel – Existing Litigation pursuant to Subdivision (a) of Government Code Section 54956.9 to discuss Gregory Carroll vs. City of Santa Maria, et al. Case No. CV 0907336 and Conference with Legal Counsel – Existing Litigation pursuant to Subdivision (a) of Government Code Section 54956.9 to discuss City of Brisbane, et al. vs. The California State Board of Equalization Case Nos. CPF-09-509231, CPF-09-509232, CPF-09-509234.

After the Closed Session, the following was reported:

Conference with Legal Counsel – Gregory Carroll vs. City of Santa Maria: Direction to staff was given.

Conference with Legal Counsel – City of Brisbane vs. The California State Board of Equalization: Direction to staff was given not to intervene.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned at 8:11.m. by Mayor Lavagnino in honor of Jane Russell.

APPROVED

March 15, 2011
Date

Patricia Alvarez
Chief Deputy City Clerk and ex officio Clerk of the City Council

ATTEST

Patricia Alvarez
Chief Deputy City Clerk

S.S. Lavagnino
Mayor